

Declaratory Resolution.

No.

19

Opening of
Walton Avenue

Adopted July 7th 1896

Confirmed July 21st 1896

Assessment Roll
Approved March 6th 1896

Finally Confirmed

April 20th 1896

Recorded in "Declaratory
Resolution Record No. 1" pg. 40

DEPARTMENT OF PUBLIC WORKS,

OFFICE OF THE BOARD,

ROOM NO. 2, CITY HALL.

FORT WAYNE, IND., FEB. 7th. 1896.

DECLARATORY RESOLUTION NO. 19.

Opening of Walton Avenue.

RESOLVED, By the Board of Public Works of the City of Fort Wayne, Indiana, that it is desired and deemed necessary to open Walton Avenue in the City of Fort Wayne, Allen County State of Indiana, from the Maumee river to the north line of Walton Avenue on the south of the Maumee river; also from the south line of Washington street to the north line of Maumee road; said Avenue to have a width of fifty-four (54) feet the same to be made by condemning and appropriating for such purpose, sufficient lots and lands described as follows:

A piece of ground fifty-four (54) feet in width the centre line of which is the range line between ranges 12 and 13 in Allen County Indiana, and described as follows: Commencing at the intersection of the east line of Walton Avenue with the south line of the right of way of the N. Y. C. & St. L. R.R. thence north parallel with the range line to the Maumee river; thence west fifty-four (54) feet; thence south parallel with the range line to the south line of right of way of N. Y. C. & St. L. R.R. thence east to the place of beginning. The above described piece of ground is situated in the south-west quarter of section six (6) township thirty (30) north range thirteen (13) east and in the south-east quarter of section one (1) township thirty (30) north range twelve (12) east, Allen County, Indiana.

Also, by condemning and appropriating the following piece of ground, to-wit:

A piece of ground fifty-four (54) feet in width, the centre line of which is the range line between ranges 12 and 13, Allen County, Indiana, and described as follows: Commencing at a point on the south line of Washington street twenty-seven (27) feet east of the range line between ranges 12 and 13; thence south parallel with the range line to north line of Maumee road: thence north-west following the north line of the Maumee road to a point twenty-seven (27) feet west of the range line; thence north parallel with the range line to the south line of Washington street; thence east to the place of beginning.

The above described piece of ground is situated in the south-west quarter of section six (6) township thirty (30) north range thirteen (13) east, and in the south-east quarter of section one (1) township thirty (30) north range twelve (12) east, Allen County, Indiana.

The property which may be injuriously or beneficially affected by the opening of said Avenue as above described, is described as all lots and parcels of land described as follows, to-wit:-

A strip of ground three hundred and sixty-five (365) feet in width, commencing at the intersection of the range line with the Maumee river; thence east three hundred and sixty-five (365) feet; thence south parallel with the range line to the Wabash Railroad; thence west to the range line; thence north on the range line to the place of beginning.

Also a piece of ground three hundred and twenty (320) feet in width commencing at the intersection of the range line with the Maumee river; thence west three hundred and twenty (320) feet; thence south to the Wabash Railway; thence east to the range line; thence north following the range line to the place of beginning.

All as shown on the plan of such proposed opening of said Avenue, above described, now on file in the office of the Board of Public Works. All of said land affected by said opening being situated in the city of Fort Wayne, County of Allen, State of Indiana.

Adopted this 7th. day of February, 1896.

Wm. M. Louch

Clerk

Thos. C. Wilbiss
J. H. McCalland
Samuel Reed
Board of Public Works.



Digitized by the Internet Archive
in 2015

PETITION.

Fort Wayne, March 8 1894.

TO THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE:

Gentlemen:

The undersigned, owners of real

estate fronting on Walton Avenue, fromEast Washington St to The right of way of the N.Y. & St. L. Railway

^ respectfully petition for the passage of a resolution providing for the opening or extension of Walton Avenue from the south line of the right of way of the New York Chicago & St. Louis Railway, northward to the south bank of the Maumee River,

For the undersigned

Jacob Pfeiderer
Sophia Poks.
Henry Enfischer

Maryanna Nauke
B. White

PETITION FOR PASSAGE

of a Resolution for Improving

Open, Thruway
of Madison

from Mycroft street

to Madison street

FILED WITH THE

10-10-1911
March 8, 1890

REMONSTRANCE.

Fort Wayne, apl 9th 1896

TO THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE:

Gentlemen:

The undersigned, owners of real

estate fronting on Walton Ave, from
Mannice Road to Wabash Rail Road

respectfully remonstrate against the passage of a resolution providing for Opening
Walton Ave from Washington Str to Mannice road

Charlotte H. Miller

Henry Dieckman

Nancy J Steel

J. E. Pike

J. L. J. J. J.

Chas. J. J.

Ellie A. Vordermark

Joseph Willkie

George W. J.

REMONSTRANCE

*Against the Passage of a Resolution for
Improving*

Opening Walter Ave

from Washington street

to Maurice Road street

FILED WITH ~~THE~~

April 17/96

Department of Public Works.

THOS. D. DeVILBISS, Chairman.
LEVI GRIFFITH.
WILLIS HATTERSLEY.
A. J. YOU, Clerk.

Office of the Board.

Fort Wayne, Ind., Apr 18, 1896

To the Honorable Board of Public Works,
Gentlemen;

We are instructed by Julia H. Kingsley,
S. J. Kirkwood, owners of property on
Walton Ave. to enter in their behalf
a protest against their paying any
assessment for the extension of
Walton Ave.

Julia H. Kingsley
S. J. Kirkwood
By Schrader Wilson agts.

Demosthenes
Agarrh
Maltan Lee
Woolman
Jherod Milan
to Kingdoy
Kirbuond

Richd April 29
/96

State of Indiana- :
Allen County- : SS.

In the Matter of the opening of :
Walton Avenue- :

To the Honorable Board of Public Works of the City of Fort Wayne,
Indiana-

Gentlemen:

The New York, Chicago & St. Louis Railroad Company,
remonstrates herein ^{#15,000.00}
because it has not been awarded ~~\$5,000.00~~ damages, which exists in its
favor over and above all benefits by reason of the said Avenue, being
opened across its right of way, in this, that its land taken therefor
is worth and of the value over and above all benefits \$3,500.00, and
the cost of placing gates, guards, keeping and maintaining planking
and gates and other appliances for the safety of the public ^{#115,000.00} ~~\$1,500.00~~
Therefore it asks that it be awarded ^{#15,000.00} ~~\$5,000.00~~ damages and
all other and proper relief.

Said Railroad Company further remonstrates, because it has
been assessed benefits, whereas in truth and in fact the opening of
said street will be of no benefit to it, but a damage, in this, that
to properly open said street across its right of way, maintain a watch-
man at the crossing and do and perform all work necessary to the safe
operation of its trains and the safety of the travelling public, will
compel an outlay of ^{#15,000.00} ~~\$5,000.00~~, which sum should be awarded it and for
which it prays.

Said Railroad Company further remonstrates, because the open-
ing of said Avenue will destroy a public use and right already acquir-
ed by it, over and above all benefits in the sum of ^{#15,000.00} ~~\$5,000.00~~, for
which it prays.

Said Railroad Company further remonstrates and says that the opening of said Avenue is of no benefit in any manner or form to it, and in the estimation of damages no sum should be deducted for benefits; that ~~\$5,000.00~~ ^{\$15,000.00} should be awarded it for land taken and repairs and expenses on its roadbed, which will be occasioned by the opening of said Avenue, and for which it asks an award. *also for connections to the bridge necessary for said street over the* *Manuel River*

The New York, Chicago & St. Louis Railroad Company

By Wm. B. Bant

Its Attorneys.

No.

In Master of

Henry J. Pratt

Assured

Guaranteed by

San Francisco City &
St. L. 1883

Filed April 17/96

MORRIS, BELL, BARRETT AND MORRIS

Att'ys for

W. J. G. 1883